



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,893	01/29/1999	G. ALEX TERRY	ITC:9905	7923

7590 07/03/2003

Michael J. Thomas
Senniger, Powers, Leavitt & Roedel
One Metropolitan Square, 16th Floor
St. Louis, MO 63102

EXAMINER

NGUYEN, DUC MINH

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 07/03/2003

28

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/240,893

Applicant(s)

TERRY, ALEX

Examiner

Duc Nguyen

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 45,46,48-50,52,57-62,64 and 65 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 45,46,48-50,52,57-62,64 and 65 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Art Unit: 2643

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 45-46, 48-49, 58-59, 62, 64-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al (6,317,490) in view of Marchbanks et al (6,266,401).

Consider claim 45. Cameron teaches a method for providing a user access over a data network (col. 2, ln. 29-38) to select billing records associated with an account of the user (col. 3, ln. 5-17), comprising storing billing records associated with the user's account in a database (col. 2, ln. 29-38, fig. 1, BIDR 200; col. 3, ln. 18 to col. 4, ln. 3), including new billing records for which an invoice has not yet been issued to the user (real-time telephone billing information; col. 1, ln. 18-50); inherently receiving a query containing one or more parameters from the user over the data network, the query seeking which of the billing records associated with the user's account satisfy the one or more parameters of the query (col. 3, ln. 5 to col. 4, ln. 3); inherently

Art Unit: 2643

searching the data base for individual billing records associated with the user's account which satisfy the one or more parameters of the query received from the user (col. 3, ln. 5 to col. 4, ln. 3); and displaying results of the searching to the user over the data network, including displaying the individual billing records associated with the user's account which satisfy the one or more parameters of the query received from the user (the use of data access device 16; col. 3, ln. 5 to col. 4, ln. 3). Cameron further teaches the new billing records include individual transaction charges (call data field 218 containing information of the date a call was made and billing rate, etc; col. 3, ln. 36-45).

Cameron does not clearly teach the new billing records include individual transaction charges from a plurality of entities.

Marchbanks teaches an electronic bill processing comprises processing new billing records, the new billing records include individual transaction charges (see fig. 16A-F; col. 9, ln. 7-16) from a plurality of entities (voice and data communications and third-party communications services; see abstract; fig. 16A-F).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Marchbanks into the teachings of Cameron in order to provide a system that enables easy, real time consolidation, monitoring and control of an entity's telecommunications transactions.

Art Unit: 2643

Consider claim 46. Cameron further teaches accessing new billing records for which an invoice has not yet been issued to the user (real-time telephone billing information; col. 1, ln. 18-50).

Consider claims 48-49. Marchbanks further teaches the billing records are telecommunication billing records, web service, Internet service, a telephone service and pager service (fig. 6, 16A-F).

Consider claim 58. Marchbanks further teaches the billing records relate to a plurality of differing communication devices (fig. 6, 16A-F).

Consider claim 59. Cameron further teaches the query are selected from group consisting of calling device, device called, area called, transaction duration, transaction cost, date of transaction, and time of transaction (col. 3, ln. 5 to col. 4, ln. 3; col. 4, ln. 30-46; fig. 2).

Consider claim 62. Cameron teaches a method for providing a user access over a data network (col. 2, ln. 29-38) to select billing records associated with an account of the user (col. 3, ln. 5-17), comprising storing billing records associated with the user's account in a database (col. 2, ln. 29-38, fig. 1, BIDR 200; col. 3, ln. 18 to col. 4, ln. 3), including new billing records for which an invoice has not yet been issued to the user (real-time telephone billing information; col. 1, ln. 18-50); inherently receiving a query containing one or more parameters from the user over the data network, the query seeking which of the billing records associated with the user's account satisfy the one or more parameters of the query (col. 3, ln. 5 to col. 4, ln. 3); inherently searching the data base for individual billing records associated with the user's account which

Art Unit: 2643

satisfy the one or more parameters of the query received from the user (col. 3, ln. 5 to col. 4, ln. 3); and displaying results of the searching to the user over the data network, including displaying the individual billing records associated with the user's account which satisfy the one or more parameters of the query received from the user (the use of data access device 16; col. 3, ln. 5 to col. 4, ln. 3). Cameron further teaches the new billing records include individual transaction charges (call data field 218 containing information of the date a call was made and billing rate, etc; col. 3, ln. 36-45).

Cameron does not clearly teach the new billing records include individual transaction charges from a plurality of entities.

Marchbanks teaches an electronic bill processing comprises processing new billing records, the new billing records include individual transaction charges (see fig. 16A-F; col. 9, ln. 7-16) from a plurality of entities (voice and data communications and third-party communications services; see abstract; fig. 16A-F).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Marchbanks into the teachings of Cameron in order to provide a system that enables easy, real time consolidation, monitoring and control of an entity's telecommunications transactions.

Consider claims 64-65. Marchbanks further teaches the billing records are telecommunication billing records, web service, Internet service, a telephone service and pager service (fig. 6, 16A-F).

Art Unit: 2643

4. Claims 50, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al (6,317,490) in view of Marchbanks et al (6,266,401) as applied to claims 45-46, 62 above, and further in view of Flood (5,864,613).

Consider claim 50. Cameron in view of Marchbanks does not teach the step of providing the user with a customized event monitor, the event monitor alerting the user when telephone transactions meet a specified criteria.

Flood teaches a long distance transaction event monitor, the event monitor comprising an interface (column 4 lines 8-18); query logic and event monitor (switch intelligence 110 which includes computer system 200; see the abstract; column 1 line 66 to column 2 line 8; column 2 line 60 to column 3 line 10; column 3 line 22 to column 4 line 6 line 5; column 7 line 66 to column 8 line 49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Flood into the teachings of Cameron in view of Marchbanks in order to effectively control the cost of telephone usage.

Consider claim 52. Flood further teaches disabling the telecommunication device when a user-specified criteria relating to the billing records is satisfied (col. 1, ln. 55 to col. 2, ln. 8; col. 4, ln. 42-50; col. 5, ln. 32 to col. 6, ln. 5).

Art Unit: 2643

5. Claims 57, 60-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al (6,317,490) in view of Marchbanks et al (6,266,401) as applied to claims 45-46, 62 above, and further in view of Buhler et al (6,104,704).

Consider claims 57, 60-61. Cameron in view of Marchbanks does not clearly teach the data network (data access 16) is the Internet or private packet switched network.

Buhler teaches the data network is the Internet or a private packet switched network (abstract; fig. 4; col. 6, ln. 5-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Buhler into the teachings of Cameron in view of Marchbanks in order to enable customers to access their own relevant data information timely, rapidly and accurately through a client interface or Internet.

Response to Arguments

6. Applicant's arguments/amendment filed 12/31/02 and 6/2/03 with respect to claims 45-46, 48-50, 52, 57-62, 64-65 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2643

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Kuntz, can be reached on (703) 305-4708.

Any response to this final action should be mailed to:

Box AF


Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9315 (Group's Fax numbers)
(703) 746-7251 (Examiner's Fax number, only for proposed amendment)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

June 23, 2003


DUC NGUYEN
PRIMARY EXAMINER